

United States District Court

SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
U.S. DIST. COURT
AUGUSTA DIV.

2007 OCT 25 P 4: 29

UNITED STATES OF AMERICA

V.

Richard Sims

JUDGMENT IN A CRIMINAL CASE

Case Number: CR107-00039-001

USM Number: 09605-021

Tommy Tucker

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to Count 1.
☐ pleaded nolo contendere to Count(s) which was accepted by the court.
☐ was found guilty on Count(s) after a plea of not guilty.

The defendant has been convicted of the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 641	Theft of government property	October 12, 2006	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) .
☒ Count 2 is dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

October 10, 2007

Date of Imposition of Judgment

Signature of Judge

W. Leon Barfield
United States Magistrate Judge

Name and Title of Judge

Date

Sheet 2 - Imprisonment

DEFENDANT: Richard Sims

CASE NUMBER: CR107-00039-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 30 days, to be served consecutively to the sentence imposed on August 17, 2007, in Richmond County, Georgia, Superior Court (Docket Number 2007RCCR263).

☐ The Court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at ____ ☐ a.m. ☐ p.m. on ____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on ____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

United States Marshal

By _____

Deputy United States Marshal

DEFENDANT: Richard Sims
CASE NUMBER: CR107-00039-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$25.00		

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such a determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
	\$0.00	\$0.00	
Totals:	\$0.00	\$0.00	

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived for the ☐ fine ☐ restitution.

☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Richard Sims
CASE NUMBER: CR107-00039-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

A ☒ Lump sum payment of \$ 25.00 due immediately, balance due

☐ not later than ____; or

☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal ____ (e.g., weekly, monthly, quarterly) installments of \$ ____ over a period of ____ (e.g., months or years), to commence ____ (e.g., 30 or 60 days) after the date of this judgment; or

D ☐ Payment in equal ____ (e.g., weekly, monthly, quarterly) installments of \$ ____ over a period of ____ (e.g., months or years), to commence ____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within ____ (eg, 30 or 60 days) after release from imprisonment. the court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☒ Special instructions regarding the payment of criminal monetary penalties:

All payments shall be made payable to the Clerk, United States District Court PO Box 1130, Augusta, Georgia 30903.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal; (3) restitution interest; (4) fine principal; (5) fine interest; (6) community restitution; (7) penalties, and (8) costs, including cost of prosecution and court costs.

United States District Court
Southern District of Georgia

UNITED STATES OF AMERICA

vs.

RICHARD SIMS

CASE NO. 1:07cr39

The undersigned, a regularly appointed and qualified deputy in the office of this Clerk of this District, while conducting the business of the Court for said Division does hereby certify the following:

- 1 Pursuant to instructions from the court, and in the performance of my official duties, I personally placed in the U.S. Mail a sealed envelope bearing the lawful frank of the Court, and properly addressed to each of the persons, parties or attorneys listed below;
and
2. That the aforementioned envelope(s) contain a copy of the documents known as Judgment dated October 25, 2007, which is part of the official records of this case.

Date of Mailing: October 26, 2007

Date of Certificate: October 26, 2007

SCOTT L. POFF, CLERK

By



Lisa C. Widener, Courtroom Deputy Clerk

NAME:

1. Richard Sims
2. Thomas W. Tucker
3. _____
4. _____
5. _____
6. _____
7. _____

Cert/Copy

- | | | |
|--------------------------|-------------------------------------|------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | District Judge |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Magistrate Judge |
| <input type="checkbox"/> | <input type="checkbox"/> | Minutes |
| (3) | <input checked="" type="checkbox"/> | U.S. Probation |
| (5) | <input checked="" type="checkbox"/> | U.S. Marshal |
| | <input type="checkbox"/> | U.S. Attorney |
| | <input type="checkbox"/> | JAG Office |

Cert/Copy

- | | | |
|--------------------------|-------------------------------------|------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Dept. of Justice |
| <input type="checkbox"/> | <input type="checkbox"/> | Dept. of Public Safety |
| <input type="checkbox"/> | <input type="checkbox"/> | Voter Registrar |
| <input type="checkbox"/> | <input type="checkbox"/> | U.S. Court of Appeals |
| <input type="checkbox"/> | <input type="checkbox"/> | Nicole/Debbie |
| <input type="checkbox"/> | <input type="checkbox"/> | Ray Stalvey |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Cindy Reynolds |